

REMARKS

Claims 1-26, all the claims pending in the application, stand rejected a second time. Accordingly, Applicant now can appeal the Examiner's rejection, but before doing so, earnestly solicits the Examiner's suggestion for obtaining the allowability of the claims at an interview scheduled for March 10, 2004.

Claim Rejections - 35 U.S.C. § 103

Claims 1-2, 6-7, 11, 14-15 and 17-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitrick (4,572,509) in view of Wilson et al (5,411,258). This rejection is traversed for at least the following reasons.

The Examiner has repeated the text used to support the identical rejection in the Office Action dated March 20, 2003. Applicant's comments in the amendment filed on June 19, 2003 in response to that Office Action remained valid. Applicant respectfully refers the Examiner to Applicant's argument as presented in that amendment for reconsideration.

In the present Office Action, the Examiner has addressed each of the separate basis that Applicant presented for distinguishing the invention of claims 1 and 11 over Sitrick and Wilson. Applicant respectfully traverses the Examiner's position as follows:

Each of plural game machines simultaneously executes the racing game

In the argument made by Applicant in the previous Amendment, it was noted that separate and simultaneous execution of the race game was facilitated and necessitated by the independent control that each player has in establishing the parameters of the players horses.

In reply, the Examiner asserts that distributed execution of the game is fully taught in Sitrick. In this regard, the Examiner points to the text at col. 1, lines 15-37 that begin with a statement that "an object of the invention is to provide a system of distributed video game apparatus which are capable of exhibiting an interactive single identity game."

In rebuttal, Applicant respectfully submits that such a statement is wholly compatible with a centrally controlled game, and does not conclusively define a system where the game is separately and simultaneously executed by each game machine.

However, the Examiner also points to the text at col. 1, lines 23-29, where it states that each game apparatus can function either as a standalone single entity game or as a peer game in the single identity system. For the single identity game system, the patent states at lines 34-37 that a composite display resulting from a totality of peer game interaction is displayed on each display or the master display.

In reply, Applicant respectfully submits that the single identity game system is a centrally controlled system and is not one where each video game apparatus inputs to a centralized system which then displays on a master display or returns display information for display on individual units.

With respect to the alternate embodiment as mentioned at col. 1, lines 37-41, the display can present individual peer game information. Further, it is mentioned that means are provided for intercommunicating individual peer game information, either globally or individually to select ones of the peer games. Nonetheless, Applicant respectfully submits that, even as to a “peer game” embodiment, the broad and generic description given in Sitrick would be compatible with an arrangement where there are individual intelligent game machines, but that they all are slaves and process game commands by communicating with a central master server or unit that provides coordination for the entire system.

In conclusion, Applicant strongly believes that the text cited by the Examiner is broad, ambiguous non-enabling of separate and simultaneous execution of a game, in that none of the figures illustrating a variety of system arrangements. For example those in Figs. 2A-2D or Figs. 3-5, 7 and 8, teach an arrangement for separate and simultaneous execution of a game. The presence of a master controller is evident in each of these illustrations.

The invention collects execution states and betting data

Applicant has asserted that the claims require the collection of both the execution states and betting data from all the separate and independent game machines. Applicant also asserted that, even if games are executed locally in Sitrick, there is no teaching that execution states from each game are sent to a central controller and processed centrally, with the result being presented centrally as game progress. Similarly, there is not teaching that betting odds from each separate and independent game machine are gathered centrally and processed for display.

Even if the Examiner is correct with regard to an execution of the game at each game machine, nothing in Sitrick teaches that execution states are transmitted to a central location for assembly and display of the relative progress of each player while independently playing the game on his own game machine. Sitrick has only broad teachings that do not disclose this claim detail. The transmission in Sitrick may be of final results, and not continuous progress derived from the transmitted execution states and betting odds. The Examiner has not addressed this issue in his response to Applicants' arguments.

Presenting both collected race executing stakes and integrated betting odds

A corresponding issue relates to an additional distinction asserted by the Applicant is that the invention presents in real time both the collected race executing states and integrated betting odds to the players at all game machines. There is no teaching in Sitrick of the concept of a system where the central controller, after collecting locally executed game stakes and locally generated betting odds, presents to all players in real time an output based on its processing of these locally generated results and odds. Specifically, there is no disclosure in Sitrick of the concept of this system where the central controller, after collecting the locally executed games stakes and locally generated betting odds, presents to all players in real time an output based on mixed processing of these locally generated results and odds.

As previously argued, Wilson does not teach any type of game system with distributed processing. There is no teaching or suggestion that a single game, executed simultaneously in local terminals, can have execution states from plural terminals-collected and used to generate in real time a common display and result.

Combination of references do not teach the invention

The differences between Sitrick and the present invention, and Wilson and the present invention have been clearly set forth. The claimed features relating to collecting locally executed game states and locally generated betting odds and presented them to all player in real time is not taught in either reference. Thus, the references, even if combined, could not render the claimed invention obvious.

The references cannot be combined

The Applicant again submit that the references cannot be combined because the technology of Sitrick and Wilson are wholly different. As already noted, Wilson uses a single processor with multiple controllers that are simply input devices to a common processor. This is a single game run on a single game machine. There is no teaching or suggestion of adapting the Wilson racing game to one that has multiple game machines operating on a peer or a standalone single entity game. How such adaptation would take place involves undue experimentation and inventive activity.

Claims 3-4, 8-9 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitrick in view of Wilson and further in view of Khosla (6,080,063). This rejection is traversed for at least the following reasons.

Again, the Examiner has repeated the language used to support his rejection of these claims in the Office Action dated March 20, 2003. Applicant's comments in the amendment filed on June 19, 2003 in response to that Office Action remained valid. Applicant respectfully refers the Examiner to the argument as presented in that amendment.

The Examiner has not added any additional arguments with regard to the relevance of Khosla, which was defined in the rejection of claims 3-4, 8-9 and 16. Thus, Applicant respectfully submits that the Applicant's previous arguments are convincing and should be the basis for finding the claims patentable.

Claims 5, 10 and 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitrick in view of Wilson and further in view of Best (4,569,026). This rejection is traversed for at least the following reasons.

In this case, the Examiner also repeats the text of his rejection from the Office Action dated March 20, 2003. Applicant respectfully submits that his comments with respect to this rejection as filed in the Amendment dated June 19, 2003 remains valid.

The Examiner has not added any new comment with respect to Best, which was applied to the rejection of claims 5, 10 and 12-13. Applicant again notes that, at least with respect to Best, there is no teaching of a registration of speech with regard to claim execution states which are defined as stakes generated by individual terminals in locally executing the game. Nothing in

the cited art teaches the capability to provide speech for locally executed games, at local terminals. More importantly, nothing teaches the combination of such speech capability where the system has a central controller that receives the execution states and betting odds and generates a real time result. Applicant submit this is a clear basis for patentability, as the references do not contain such teaching.

In conclusion, Applicant submits that (1) the collection of execution states of the races at the game machines and (2) betting odds generated at all the game machines are a clear basis for patentability. Further, presenting in real time the collected race execution states and integrated betting odds would further be the basis for patentability. Finally, Applicant submits that the combination of speech with execution states would be a basis for patentability.

Wilson merely teaches a central processor with multiple controllers and thus has no teaching with regard to collecting by a control unit states of a race at individual game machines. With regard to Sitrick, the disclosure is broad and does not contain any detail with regard to collecting execution states and betting odds and presenting them essentially. Best, has no teaching of combining game execution states with speech. Applicant respectfully submits that the differences identified in the Amendment filed January 3, 2003 with regard to Khosla and Best continue to be valid and their reconsideration is respectfully requested.

Applicant has not presented arguments specifically with regard to each of the dependent claims because Applicant firmly believes that the claims are patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
09/785,981

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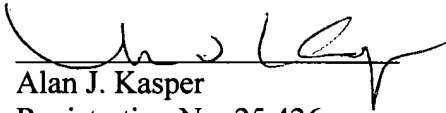
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